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EXAMINER
GART, MATTHEW S

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BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 09/672,934
Filing Date: September 28, 2000
Appellant(s): HADFIELD ET AL.

Manish Vyas
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed September 09, 2005 appealing from the Office action mailed November 5, 2004.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings, which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,230,403	Skoolicas et al.	5-2001

(9) Grounds of Rejection

Claims 1-11, 20, 22-25, 27-35, and 37-54 are currently rejected under 35 U.S.C. 102(e) as anticipated by the Skoolicas reference (U.S. Patent No. 6,230,403; hereinafter "Skoolicas." A copy of the final office action mailed November 5, 2004 is provided in Appendix A.

(10) Response to Argument

A. Independent Claims 1 and 20 and the Claims Depending Therefrom

The attorney argues that Skoolicas does not disclose the act of "configuring memory objects within the devices by downloading at least the device designation data from the database," as recited in independent claim 1, and the act of "programming the programmable components by downloading information from the database into the programmable components," as recited in independent claim 20. (Emphasis taken from Appeal Brief.)

The Examiner notes, the Applicant admits on page 9 of the appeal brief that Skoolicas provides a means for programming specifications into a programmable microprocessor, wherein an operator manually programs a microprocessor using instructions provided by a system manufacturing interface.

The Examiner further notes, claims 1 and 20 as presented are not limited to automatically downloading information into the programmable device. The specification as originally filed neither redefines the term "downloading," nor sets forth an uncommon definition so as to put one reasonable skilled in the art on notice that the applicant intended to so redefine the term "downloading." Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. E-Pass Techs., Inc. v. 3Com Corp., 343 F.3d 1364,1369, 67 USPQ2d 1947,

1950 (Fed. Cir. 2003) (claims must be interpreted "in view of the specification" without importing limitations from the specification into the claims unnecessarily).

The term "downloading" in claims 1 and 20 is to be defined by using its common meaning as understood by a person of experience in the field of the invention. *Merrian Webster's Collegiate Dictionary, Third Edition*, defines "download" as follows: 1. To transfer (data) from a usually large computer to the memory of another device. A copy of this definition is provided as evidence in Appendix B.

The common definition of "downloading" does not explicitly include or exclude the automatic transferring of information from a database to a device. Any transferring of information, i.e. manually, automatically or semi-automatically, would anticipate the term "downloading." Skoolicas explicitly discloses a means for programming a programmable memory device by transferring output control information (i.e. data), for a custom power supply (Skoolicas: column 2, lines 41-51). The programmable devices as mentioned in Skoolicas are programmed using programming specifications provided by a system manufacturing interface (hereinafter SMI), the SMI receives raw system specifications and generates detailed manufacturing specifications necessary to build a system. These specifications are stored in a database until needed (Skoolicas: column 32, lines 36-62). Therefore, the transferring of data to a programmable device as discussed in Skoolicas sufficiently anticipates the common meaning of "downloading" as understood by a person of experience in the field of the invention.

The attorney further argues that Skoolicas does not disclose the act of "configuring memory objects within the devices by downloading at least the device designation data from the database," as recited in independent claim 1. (Emphasis taken from Appeal Brief.)

The Examiner notes, the specification as originally filed (9/28/2000) discloses designation data as code, which identifies or designates the system, the components, and physical location or configuration information for the components (Specification as originally filed: page 12, lines 26-28).

The Examiner further notes, Skoolicas discloses that the programmable devices are programmed using programming specifications provided by the SMI (Skoolicas: column 34, lines 41-57).

Skoolicas further discloses that the specifications for a power supply are application specific. Thus, while many power supplies may share certain common characteristics such as a similar input voltage range or the presence of a 5-volt output, many power supplies are customized, by design, for use in a particular product or system (Skoolicas: column 1, lines 6-18). Furthermore, as taught by Skoolicas (Skoolicas: column 4, lines 12-19), the power supply specifications may include at least one of the following details: (a) a shape of the user-defined package, (b) a dimension of the user-defined package, (c) a position of at least one of the components in the user-defined package, (d) an orientation of at least one of the components in the user-defined package. Therefore, the power supply specification data that is programmed

into the programmable device as discussed in Skoolicas sufficiently anticipates the meaning of "Designation Data" as defined by the applicant.

However, even though Skoolicas discloses all the claimed elements as indicated above, the data included within the designation data qualifies as descriptive material since it is directed to the content of data, not structure or an action or step. The particular data stored does not patentable distinguish the claimed method and is given little patentable weight.

The Applicant argues that the designation data provided in the database recited in claim 1 is much more than nonfunctional descriptive material.

As noted above by the Examiner, the designation data is not functionally involved in the steps recited. For example, claim 3 discloses that the device designation data includes data representative of a physical location of a device in the system. This device designation data could include any number of a plurality of data elements. The generating, soliciting, assembling and configuring steps would be performed the same regardless of the data being downloaded. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability.

B. Independent Claims 31 and 47 and the Claims Depending Therefrom

The attorney argues that Skoolicas does not disclose the act of " a component programming module adapted to access data from the database and to download the data into each programmable component." (Emphasis taken from Appeal Brief.)

The Examiner notes, the term "component programming module" is not expressly defined in the specification as originally filed. The specification as originally filed does give a diagrammatical representation of functional components involved in the integrated design, sales, and programming arrangement for implementing the present invention (Specification as originally filed: Fig. 6). The specification as originally filed further discloses various modules including a design module **108** and a sales solicitation module **110**, but neither mentions, nor defines the "component programming module." For the purpose of examination, the Examiner construed a "component programming module" to be equivalent to a component programming station, whereby any programming means, i.e. manually, automatically or semi-automatically, would anticipate the claimed invention. Skoolicas explicitly discloses a means for programming a programmable memory device by transferring output control information (i.e. data), for a custom power supply (Skoolicas: column 2, lines 41-51). The programmable devices as mentioned in Skoolicas are programmed using programming specifications provided.

C. Independent Claims 34 and 50 and the Claims Depending Therefrom

The attorney argues that Skoolicas does not disclose the steps of "generating a database...including device designation data including data representative of a physical location of a device in the system" and "configuring memory objects within the devices by downloading at least the device designation data from the database into the memory objects," as is recited in independent claim 34. (Emphasis taken from Appeal Brief.)

The Examiner further notes, Skoolicas discloses that the programmable devices are programmed using programming specifications provided by the SMI (Skoolicas: column 34, lines 41-57).

Skoolicas further discloses that the specifications for a power supply are application specific. Thus, while many power supplies may share certain common characteristics such as a similar input voltage range or the presence of a 5-volt output, many power supplies are customized, by design, for use in a particular product or system (Skoolicas: column 1, lines 6-18). Furthermore, as taught by Skoolicas (Skoolicas: column 4, lines 12-19), the power supply specifications may include at least one of the following details: (a) a shape of the user-defined package, (b) a dimension of the user-defined package, (c) a position of at least one of the components in the user-defined package (i.e., a physical location of a device in the system), (d) an orientation of at least one of the components in the user-defined package. Therefore, the power supply specification data that is programmed into the programmable device as

discussed in Skoolicas sufficiently anticipates the downloading of data representative of a physical location of a device in the system.

However, even though Skoolicas discloses all the claimed elements as indicated above, the data included within the designation data qualifies as descriptive material since it is directed to the content of data, not structure or an action or step. The particular data stored does not patentable distinguish the claimed method and is given little patentable weight.

D. Independent Claims 42 the Claims Depending Therefrom

The attorney argues that Skoolicas does not disclose "programming the programmable components by downloading at least device designation data from the database," as recited in independent claim 42.

The Examiner notes, the Applicant admits on page 9 of the appeal brief that Skoolicas provides a means for programming specifications into a programmable microprocessor, wherein an operator manually programs a microprocessor using instructions provided by a system manufacturing interface.

The Examiner further notes, claims 1 and 20 as presented are not limited to automatically downloading information into the programmable device. The specification as originally filed neither redefines the term "downloading," nor sets forth an uncommon definition so as to put one reasonable skilled in the art on notice that the applicant intended to so redefine the term "downloading." Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. E-Pass Techs., Inc. v. 3Com Corp., 343 F.3d 1364,1369, 67 USPQ2d 1947, 1950 (Fed. Cir. 2003) (claims must be interpreted "in view of the specification" without importing limitations from the specification into the claims unnecessarily).

The term "downloading" in claims 1 and 20 is to be defined by using its common meaning as understood by a person of experience in the field of the invention. *Merrian*

Webster's Collegiate Dictionary, Third Edition, defines "download" as follows: 1. To transfer (data) from a usually large computer to the memory of another device. A copy of this definition is provided as evidence in Appendix B.

The common definition of "downloading" does not explicitly include or exclude the automatic transferring of information from a database to a device. Any transferring of information, i.e. manually, automatically or semi-automatically, would anticipate the term "downloading." Skoolicas explicitly discloses a means for programming a programmable memory device by transferring output control information (i.e. data), for a custom power supply (Skoolicas: column 2, lines 41-51). The programmable devices as mentioned in Skoolicas are programmed using programming specifications provided by a system manufacturing interface (hereinafter SMI), the SMI receives raw system specifications and generates detailed manufacturing specifications necessary to build a system. These specifications are stored in a database until needed (Skoolicas: column 32, lines 36-62). Therefore, the transferring of data to a programmable device as discussed in Skoolicas sufficiently anticipates the common meaning of "downloading" as understood by a person of experience in the field of the invention.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Matthew S Gart
Patent Examiner
AU3625
December 12, 2005

WYNN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Conferees:

Wynn Coggins
SPE
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John Weiss 12-15-05
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APPENDIX A
A copy of the final office action mailed November 5, 2004

DETAILED ACTION

Claims 1-11, 20, 22-25, 27-35 and 37-54 are pending in the present application. Claims 21 and 36 were canceled and new claims 47-54 were added via the Applicant's Amendment filed 3/17/2004. Claims 12-19 and 26-30 were previously canceled in the Response to Restriction Requirement filed on 2/21/2003.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless – .
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1-11, 20, 22-25, 31-35 and 37-54 are rejected under 35 U.S.C. 102(e) as being anticipated by Skoolicas U.S. Patent No. 6,230,403.

Referring to claim 1. Skoolicas discloses a method for selling engineered electrical systems (column 2, lines 26-51), the method comprising the steps of:

- Generating a database for an electrical system comprising a plurality of programmable devices, the database including device designation data (column 32, lines 36-62);
- Soliciting an order for the system (column 31, lines 48-59);

- Assembling the system including the plurality of programmable devices (column 32, lines 36-62); and
- Configuring memory objects within the devices by downloading at least the device designation data from the database (column 2, lines 42-51 and column 34, lines 41-57).

Referring to claim 2. Skoolicas further discloses a method comprising the step of designing the electrical system including the plurality of programmable devices (column 2, lines 42-51 and column 34, lines 41-57).

Referring to claim 3. Skoolicas further discloses a method wherein the device designation data includes data representative of a physical location of a device in the system (column 32, lines 36-62).

The Examiner notes, the data included within the designation data qualifies as descriptive material since it is directed to the content of data, not structure or an action or step. The particular data stored does not patentably distinguish the claimed method and is given little patentable weight.

Referring to claim 4. Skoolicas further discloses a method wherein the device designation data includes data representative of a function of a device in the system (column 32, lines 36-62).

The Examiner notes, the data included within the designation data qualifies as descriptive material since it is directed to the content of data, not structure or an action or step. The particular data stored does not patentably distinguish the claimed method and is given little patentable weight.

Referring to claim 5. Skoolicas further discloses a method wherein the step of soliciting the order includes computing price data, based upon the database (column 31, lines 48-59).

Referring to claim 6. Skoolicas further discloses a method comprising the step of storing the database in a computer coupled to the system (Figure 5).

Referring to claim 7. Skoolicas further discloses a method wherein the system includes a plurality of subassemblies, at least a portion of the subassemblies including at least one programmable device, and wherein the memory objects of the programmable devices are configured after arrangement of the devices on the subassemblies (column 2, lines 42-51 and column 34, lines 41-57).

Referring to claim 8. Skoolicas further discloses a method wherein the memory objects of the programmable devices are configured prior to arrangement of the subassemblies in the system (column 2, lines 42-51 and column 34, lines 41-57).

Referring to claim 9. Skoolicas further discloses a method wherein the memory objects of the programmable devices are configured after arrangement of the subassemblies in the system (column 2, lines 42-51 and column 34, lines 41-57).

Referring to claim 10. Skoolicas further discloses a method wherein the devices include electrical power switching devices mounted within an enclosure (column 1, line 4 to column 2, line 24).

Referring to claim 11. Skoolicas further discloses a method wherein the system includes a motor control center (column 1, line 4 to column 2, line 24).

Referring to claim 20. Claim 20 is rejected under the same rational as set forth above in claim 1.

Referring to claim 22. Claim 22 is rejected under the same rational as set forth above in claim 3.

Referring to claim 23. Skoolicas further discloses a method wherein the step of programming the programmable components is performed following final assembly of the components in the system (column 2, lines 42-51 and column 34, lines 41-57).

Referring to claim 24. Skoolicas further discloses a method wherein the step of assembling the system includes coupling the components to a data network in the system for accessing data from each programmable component (column 20, lines 1-14).

Referring to claim 25. Cremon further discloses a method wherein the programmable components are programmed via the data network (Figure 5).

Referring to claim 31. Claim 31 is rejected under the same rational as set forth above in claim 1.

Referring to claim 32. Claim 32 is rejected under the same rational as set forth above in claim 4.

Referring to claim 33. Claim 33 is rejected under the same rational as set forth above in claim 3.

Referring to claim 34. Claim 34 is rejected under the same rational as set forth above in claim 1.

Referring to claim 35. Claim 35 is rejected under the same rational as set forth above in claim 4.

Referring to claim 37. Claim 37 is rejected under the same rational as set forth above in claim 6.

Referring to claim 38. Claim 38 is rejected under the same rational as set forth above in claim 7.

Referring to claim 39. Claim 39 is rejected under the same rational as set forth above in claim 8.

Referring to claim 40. Claim 40 is rejected under the same rational as set forth above in claim 9.

Referring to claim 41. Claim 41 is rejected under the same rational as set forth above in claim 7.

Referring to claim 42. Claim 42 is rejected under the same rational as set forth above in claim 1.

Referring to claim 43. Claim 43 is rejected under the same rational as set forth above in claim 3.

Referring to claim 44. Claim 44 is rejected under the same rational as set forth above in claim 9.

Referring to claim 45. Claim 45 is rejected under the same rational as set forth above in claim 24.

Referring to claim 46. Claim 46 is rejected under the same rational as set forth above in claim 25.

Referring to new claims 47-54. New claims 47-54 are rejected under the same rationale as set forth above in claims 1-11, 20, 22-25, 27-35 and 37-46.

Response to Arguments

Applicant's arguments with respect to the claims are not persuasive. The Applicant alleged that the Examiner has not addressed without any specificity all of the claim groups.

The Examiner has cited particular columns and line numbers in the references as applied to a representative claim group for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the representative claims, other passages and figures may apply as well. It is respectfully requested that, in preparing responses, the applicant fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

The Applicant argues, "Claim 1 discloses that data is downloaded into the devices from a database, whereby Skoolicas discloses data that is indicated by the database."

The Examiner notes (with reference to Skoolicas), at microprocessor programming station **702**, the programmable devices are programmed using programming specifications **702A** provided by the SMI. The SMI (system manufacturing interface) receives raw system specifications upon the receipt of an order from the ordering system. After receiving the raw specifications, the SMI generates all

of the detailed manufacturing specifications for all of the components necessary to build the system (including programmable device specifications).

Claim 1 of the instant application is not limited to direct downloading of information into the programmable devices. Claim 1 recites, "Configuring memory objects within the devices by downloading at least the device designation data from the database." Claim 1 does not recite that the information is directly downloaded into the programmable device. Claim 1 is interpreted as a method wherein information is downloaded to a user (i.e., via a printout or display) then using the information, a user could program the programmable device. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

The Applicant notes that the application makes clear that device designation data relates to various attributes of the device itself, such as its function and physical location.

The Examiner notes, in reference to all the claims, the data included within the designation data qualifies as descriptive material since it is directed to the content of data, not structure or an action or step. The particular data stored does not patentably distinguish the claimed method and is given little patentable weight.

The Applicant argues that the designation data provided in the database recited in claim 1 is much more than nonfunctional descriptive material.

The Examiner notes, the designation data, is not functionally involved in the steps recited. For example, claim 3 discloses that the device designation data includes data representative of a physical location of a device in the system. This device designation data could include any number of a plurality of data elements. The generating, soliciting, assembling and configuring steps would be performed the same regardless of the data being downloaded. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability.

The Examiner further notes, claim 20 is rejected under the same rationale as set forth above in claim 1. Claim 20 specifies the type of designation data (i.e. component layout). This data qualifies as nonfunctional descriptive material because it is not functionally related to the method steps and could have included any number of a plurality of data types. The generating, assembling and programming steps would be performed the same regardless of the type of data being downloaded. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability.

Referring to claim 31, the Applicant argues that the Examiner has made no attempt to analyze this claim in any detail, preferring to depend upon the rationale used to reject claim 1. Furthermore the Applicant notes that claim 31 is a system claim not a method claim.

The Examiner notes, the system as recited in claim 31 aims to solve the same problem as the method recited in claim 1. In both claim 1 and claim 31 the present invention relates generally to the field of electrical control and monitoring systems, and more particularly to a system and method that integrates functions of design, sales and marketing, manufacturing, and programming of system components."

This is further demonstrated via the Applicant's remarks filed 10/20/2003 and 3/17/2004. The Applicant stated in his remarks filed 10/20/2003, "All of the independent claims, in similar terminology, recite configuring memory objects or programming programmable components based upon such a database. The database is generated for the programmable devices or components, and is used for soliciting an order and assembling a system. As noted in the present application, the use of the same database for configuring and selling the system, and for programming the components specified greatly enhances the efficiency and consistency between design, sale and implementation.

This Applicant's further stated in his remarks filed 3/17/2004, "...the present application currently includes seven independent claims, namely, claims 1, 20, 31, 34, 42, 47, and 50. In a broad sense, each of these claims recites configuring or programming a component or object by downloading items from a database into the memory object or programmable component." Throughout the prosecution of this application arguments have been presented and considered based on a representative claim group in order to simplify prosecution.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Matthew Gart whose telephone number is 703-305-5355. This examiner can normally be reached Monday-Friday, 8:30AM-5:30PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

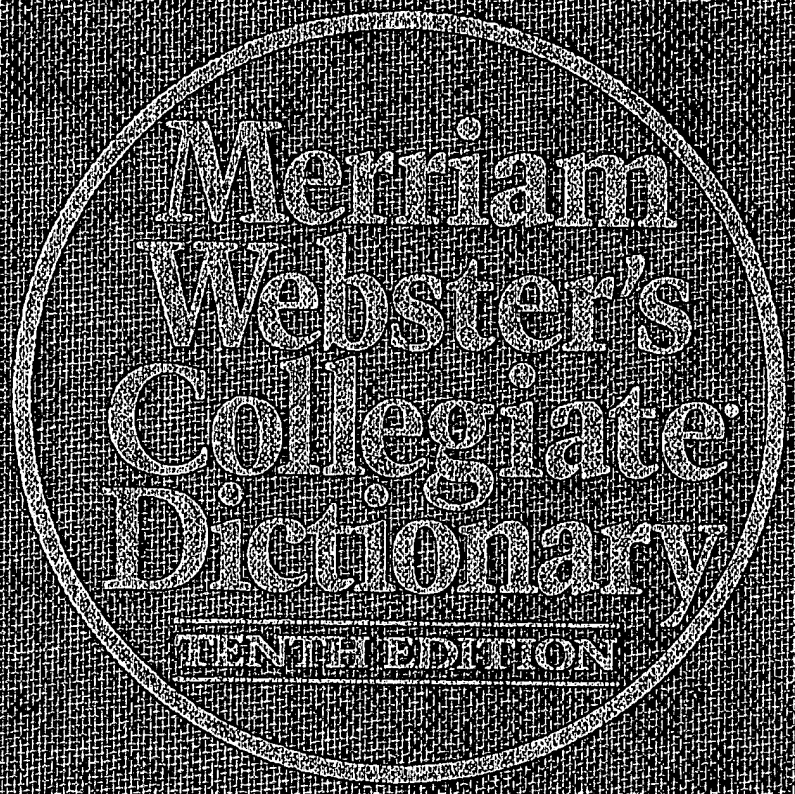
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MSG
Patent Examiner
November 2, 2004

Jeffrey A. Smith
Primary Examiner

WYNN W. COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

APPENDIX B
Evidence



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²dowel *vt* **-elled** *also* **-eled; -elling** *also* **-eling** (1713) : to fasten by or furnish with dowels

³dow·er \'daù(-ə)r\ *n* [ME *dowere*, fr. MF *douaire*, modif. of ML *dotarium* — more at DOWRY] (14c) **1** : the part of or interest in the real estate of a deceased husband given by law to his widow during her life — compare CURTESY **2** : DOWRY 2, 3

²dower *vt* (1605) : to supply with a dower or dowry : ENDOW

dow·itch·er \'daù-i-chər\ *n, pl* **dowitchers** *also* **dowitcher** [prob. of Iroquoian origin; akin to Oneida *tawístawis* dowitcher] (1841) : any of several long-billed wading birds (esp. *Limnodromus griseus* and *L. scolopaceus* of the family Scolopacidae) related to the sandpipers

Dow–Jones average \,daù-'jōnz-\ *n* [Charles H. *Dow* †1902 & Edward D. *Jones* †1920 Am. financial statisticians] (1922) : an index of the relative price of securities

¹down \'daùn\ *adv* [ME *doun*, fr. OE *dūne*, short for *adūne, of dūne*, fr. *a-* (fr. *of*), *of* off, from + *dūne*, dat. of *dūn* hill] (bef. 12c) **1 a** (1) : toward or in a lower physical position (2) : to a lying or sitting position (3) : toward or to the ground, floor, or bottom **b** : as a down payment ⟨paid $10 ~⟩ **c** : on paper ⟨put ~ what he says⟩ **2** : in a direction that is the opposite of up: as **a** : SOUTHWARD **b** : to or toward a point away from the speaker or the speaker's point of reference **3** : to a lesser degree, level, or rate ⟨cool ~ tensions⟩ **4** : to or toward a lower position in a series **5 a** : to or in a lower or worse condition or status **b** — used to indicate completion ⟨dusted ~ the house⟩ **6** : from a past time **7** : to or in a state of less activity or prominence **8** : to a concentrated state ⟨got the report ~ to three pages⟩ **9** : into defeat ⟨voted the motion ~⟩ — **down to the ground** : PERFECTLY, COMPLETELY ⟨that suits me *down to the ground*⟩

²down *prep* (14c) : down along, around, through, toward, in, into, or on ⟨fell ~ the stairs⟩ ⟨~ the years⟩

³down *vt* (1562) **1** : to cause to go or come down **2** : to cause (a football) to be out of play **3** : DEFEAT ~ *vi* : to go down

⁴down *adj* (ca. 1565) **1 a** (1) : occupying a low position; *specif* : lying on the ground ⟨~ timber⟩ (2) : directed or going downward ⟨attendance is ~⟩ **b** : lower in price **c** : not being in play in football because of wholly stopped progress or because the officials stop the play **d** : defeated or trailing an opponent (as in points scored) ⟨~ by two runs⟩ **e** *baseball* : OUT **2 a** : reduced or low in activity or intensity ⟨a ~ economy⟩ **b** : not operating or able to function ⟨the computer is ~⟩ **c** : DEPRESSED, DEJECTED; *also* : DEPRESSING ⟨a ~ movie⟩ **d** : SICK ⟨~ with flu⟩ **3** : DONE, FINISHED ⟨eight ~ and two to go⟩ **4** : completely mastered ⟨had her lines ~⟩ — often used with *pat* **5** *slang* : COOL 7 ⟨a ~ dude⟩ **6** : being a quark with an electric charge of $-\frac{1}{3}$, zero charm, and zero strangeness ⟨a ~ quark⟩ — compare ²UP 5 **7** : being on record ⟨you're ~ for two tickets⟩ — **down on** : having a low opinion of or dislike for

⁵down *n* (1710) **1** : DESCENT, DEPRESSION **2** : an instance of putting down **3 a** : a complete play to advance the ball in football **b** : one of a series of four attempts in American football or three attempts in Canadian football to advance the ball 10 yards **4** *chiefly Brit* : DISLIKE, GRUDGE **5** : DOWNER

⁶down *n* [ME *doun* hill, fr. OE *dūn*] (14c) **1** : an undulating usu. treeless upland with sparse soil — usu. used in pl. **2** *often cap* : a sheep of any breed originating in the downs of southern England

⁷down *n* [ME *doun*, fr. ON *dūnn*] (14c) **1** : a covering of soft fluffy feathers; *also* : these feathers **2** : something soft and fluffy like down

down and dirty *adj or adv* (1967) **1** : UNVARNISHED ⟨the *down and dirty* truth⟩ **2** : made or done hastily : not revised or polished **3** : marked by fierce competition **4** : BAWDY **5** : SEEDY 2

down–and–out \,daù-nən-'(d)aùt\ *adj* (1901) **1** : DESTITUTE, IMPOVERISHED **2** : physically weakened or incapacitated — **down–and–out** *or* **down–and–out·er** \-'(d)aùt-ər\ *n*

down–at–the–heels \,daù-nət-thə-'hē(ə)lz, -nat-\ *or* **down–at–heel** \-nət-'hē(ə)l\ *also* **down–at–the–heel** \-thə-'hē(ə)l\ *or* **down–at–heels** \-nət-'hē(ə)lz\ *adj* (1732) : SHABBY

¹down·beat \'daùn-,bēt\ *n* (1876) **1** : the downward stroke of a conductor indicating the principally accented note of a measure of music; *also* : the first beat of a measure **2** : a decline in activity or prosperity

²downbeat *adj* (1950) : PESSIMISTIC, GLOOMY

down–bow \'daùn-,bō\ *n* (ca. 1889) : a stroke in playing a bowed instrument (as a violin) in which the bow is drawn across the strings from the frog to the tip

down·burst \-,bərst\ *n* (1978) : a powerful downdraft usu. associated with a thunderstorm that strikes the ground and deflects in all directions and that constitutes a hazard esp. for low-flying aircraft; *also* : MICROBURST

down·cast \'daùn-,kast\ *adj* (14c) **1** : low in spirit : DEJECTED **2** : directed downward ⟨with ~ eyes⟩

down·court \-'kōrt, -'kȯrt\ *adv or adj* (1952) : in or into the opposite end of the court (as in basketball)

down·draft \-,draft\ *n* (1849) : a downward current of gas (as air during a thunderstorm)

down east *adv, often cap D&E* (1825) : in or into the northeast coastal section of the U.S. and parts of the Maritime Provinces of Canada; *specif* : in or into coastal Maine — **down east** *adj, often cap D&E*

down–east·er \daù-'nē-stər\ *n, often cap D&E* (1827) : one born or living down east

down·er \'daù-nər\ *n* (1966) **1** : a depressant drug; *esp* : BARBITURATE **2** : someone or something depressing

down·fall \'daùn-,fȯl\ *n* (13c) **1 a** : a sudden fall (as from power) **b** : a fall (as of snow or rain) esp. when sudden or heavy **2** : something that causes a downfall (as of a person) — **down·fall·en** \-,fȯ-lən\ *adj*

down·field \-'fē(ə)ld\ *adv or adj* (1944) : in or into the part of the field toward which the offensive team is headed

down·grade \'daùn-,grād\ *n* (1858) **1** : a downward grade (as of a road) **2** : a descent toward an inferior state ⟨a career on the ~⟩

²downgrade *vt* (1930) **1** : MINIMIZE, DEPRECIATE **2** : to lower in quality, value, status, or extent

down·haul \'daùn-,hȯl\ *n* (1669) : a rope or line for hauling down or holding down a sail or spar

down·heart·ed \-'här-təd\ *adj* (ca. 1774) : DOWNCAST, DEJECTED — **down·heart·ed·ly** *adv* — **down·heart·ed·ness** *n*

¹down·hill \,daùn-'hil\ *adv* (14c) **1** : toward the bottom of a hill **2** : toward a worsened or inferior state or level — used esp. in the phrase *go downhill*

²down·hill \'daùn-,hil\ *n* (1591) **1** : a descending slope **2** : a skiing race against time down a trail — often used attrib.

³down·hill \-,hil\ *adj* (1727) **1** : sloping downhill **2** : closer to the bottom of an incline ⟨your ~ ski⟩ **3** : not difficult : EASY ⟨after that problem the rest was ~⟩ **4** : progressively worse

down·hill·er \-hi-lər\ *n* (1967) : a downhill skier

down–home \'daùn-,hōm\ *adj* (1938) : of, relating to, or having qualities (as informality and simplicity) associated with rural or small-town people esp. of the Southern U.S. ⟨~ country cooking⟩; *broadly* : SIMPLE, UNPRETENTIOUS

down in the mouth *adj* (1649) : DEJECTED 1

down·land \'daùn-,land\ *n* (bef. 12c) : ⁶DOWN 1

down·link \'daùn-,liŋk\ *n* (ca. 1969) : a communications channel for receiving transmissions from a spacecraft; *also* : such transmissions

down·load \'daùn-,lōd\ *vt* (1980) : to transfer (data) from a usu. large computer to the memory of another device (as a smaller computer) — **down·load·able** \-,lō-də-bəl\ *adj*

down–market \'daùn-,mär-kət\ *adj* (1970) : relating or appealing to lower-income consumers

down payment *n* (1926) : a part of the full price paid at the time of purchase or delivery with the balance to be paid later; *broadly* : the first step in a process

down·pipe \'daùn-,pīp\ *n* (1858) *Brit* : DOWNSPOUT

down·play \'daùn-,plā\ *vt* (1954) : PLAY DOWN, DE-EMPHASIZE

down·pour \-,pōr, -,pȯr\ *n* (1811) : a pouring or streaming downward; *esp* : a heavy rain

down·range \-'rānj\ *adv* (1952) : away from a launching site

¹down·right \-,rīt\ *adv* (13c) **1** *archaic* : straight down **2** : ABSOLUTELY 1 ⟨~ handsome⟩ ⟨~ mean⟩ **3** *obs* : FORTHRIGHT

²downright *adj* (1530) **1** *archaic* : directed vertically downward **2** : OUTRIGHT, THOROUGH ⟨a ~ lie⟩ **3** : PLAIN, BLUNT ⟨stories he had heard of her ~ tongue —Angus Wilson⟩ — **down·right·ly** *adv* — **down·right·ness** *n*

down·riv·er \'daùn-'ri-vər\ *adv or adj* (1852) : toward or at a point nearer the mouth of a river

¹down·scale \'daùn-,skāl\ *vt* **down·scaled; down·scal·ing** (1945) : to cut back in size or scope ⟨the recession forced us to ~ vacation plans⟩

²downscale *adj* (ca. 1966) : lower in class, income, or quality

down·shift \-,shift\ *vi* (1955) : to shift an automotive vehicle into a lower gear — **downshift** *n*

down·side \'daùn-,sīd\ *n* (1946) **1** : a downward trend (as of prices) **2** : a negative aspect ⟨the ~ of fame⟩

down·size \'daùn-,sīz\ *vt* (1975) : to reduce in size; *esp* : to design or produce in smaller size ~ *vi* : to undergo a reduction in size

down·slide \'daùn-,slīd\ *n* (1926) : a downward movement

down·slope \'daùn-,slōp\ *adj or adv* (1928) : toward the bottom of a slope

down·spout \'daùn-,spaùt\ *n* (ca. 1896) : a vertical pipe used to drain rainwater from a roof

Down's syndrome \'daùn(z)-\ *n* [J. L. H. *Down* †1896 Eng. physician] (1961) : a congenital condition characterized by moderate to severe mental retardation, slanting eyes, a broad short skull, broad hands with short fingers, and trisomy of the human chromosome numbered 21 — called also *Down's, Down syndrome*

¹down·stage \'daùn-'stāj\ *adv or adj* (1898) **1** : toward or at the front of a theatrical stage **2** : toward a motion-picture or television camera

²down·stage \-,stāj\ *n* (ca. 1931) : the part of a stage that is nearest the audience or camera

¹down·stairs \'daùn-'starz, -'sterz\ *adv* (1596) : down the stairs : on or to a lower floor

²down·stairs \'daùn-,starz, -,sterz\ *adj* (1819) : situated on the main, lower, or ground floor of a building

³down·stairs \'daùn-', ,daùn-,\ *n pl but sing or pl in constr* (1843) : the lower floor of a building

down·state \-,stāt\ *n* (1909) : the chiefly southerly sections of a state; *also* : the chiefly rural part of a state when the major metropolitan area is to the north — **down·state** \-'stāt\ *adj or adv* — **down·stat·er** \-'stā-tər\ *n*

down·stream \'daùn-'strēm\ *adv or adj* (1706) **1** : in the direction of or nearer to the mouth of a stream **2** : in or toward the latter stages of a usu. industrial process or the stages (as marketing) after manufacture

down·stroke \-,strōk\ *n* (1852) : a downward stroke

down·swing \-,swiŋ\ *n* (1899) **1** : a downward swing **2** : DOWNTREND

down–the–line *adj* (1940) : COMPLETE ⟨a ~ union supporter⟩

down·time \'daùn-,tīm\ *n* (1928) **1** : time during which production is stopped esp. during setup for an operation or when making repairs **2** : break time between periods of work ⟨napping during our ~⟩

down–to–earth \,daùn-tə-'(w)ərth\ *adj* (1932) **1** : PRACTICAL ⟨~ traveling tips⟩ **2** : UNPRETENTIOUS ⟨surprised to find the movie star so ~⟩

down–to–the–wire \'daùn-tə-thə-'wīr\ *adj* (1952) : full of suspense; *esp* : unsettled until the very end

down·town \,daùn-'taùn, 'daùn-,\ *n* (1851) : the lower part of a city; *esp* : the main business district — often used attrib. — **downtown** \,daùn-'taùn\ *adv* — **down·town·er** \-'taù-nər\ *n*

down·trend \-,trend\ *n* (1926) : a downturn esp. in business and economic activity

down·trod·den \'daùn-'trä-dᵊn\ *adj* (1595) : suffering oppression

down·turn \-,tərn\ *n* (1926) : a downward turn esp. toward a decline in business activity

down under *adv or adj, often cap D&U* (1886) : to or in Australia or New Zealand

¹down·ward \'daùn-wərd\ *or* **down·wards** \-wərdz\ *adv* (13c) **1** a